

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
112740-224

In Re Application Of: **Benz et al.**

| | | | | | |
|--------------------------------------|--|---------------------------------------|------------------------------|-------------------------------|---------------------------------|
| Application No. 09/857,884 | Filing Date September 18, 2001 | Examiner Schebel, Robert C. | Customer No. 29177 | Group Art Unit 2666 | Confirmation No. 2823 |
|--------------------------------------|--|---------------------------------------|------------------------------|-------------------------------|---------------------------------|

Invention: **METHOD FOR TRANSMITTING DATA IN A RADIO COMMUNICATION SYSTEM**

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of November 10, 2004 in the above-identified application.
Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **November 10, 2004** finally rejecting Claim(s) **1-20**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: February 10, 2005 until: May 10, 2005
Date *Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$500.00

Fee for Extension of Time: \$1,020.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,520.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☒ A check in the amount of **\$1,520.00** for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. _____ in the amount of _____

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **02-1818**

☒ Any additional filing fees required under 37 C.F.R. 1.16. | 05/13/2005 MAHMED1 00000011 09857884

☒ Any patent application processing fees under 37 CFR 1.17. 02 FC:1253 1020.00 0P

☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. _____

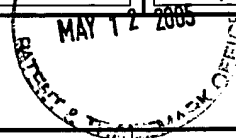
☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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| 09/857,884 | September 18, 2001 | Schebel, Robert C. | 29177 | 2666 | 2823 |

Invention: **METHOD FOR TRANSMITTING DATA IN A RADIO COMMUNICATION SYSTEM**

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:


Signature

Dated: May 10, 2005

Peter Zura
Reg. No. 48,196
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Certificate of Transmission by Facsimile*

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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on May 10, 2005 (Date) _____ Signature of Person Mailing Correspondence _____ Heather Foster Typed or Printed Name of Person Mailing Correspondence _____ |
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CC: